
PROVIDING FOR CONSIDERATION OF THE BILL (S. 365) TO MAKE A
TECHNICAL AMENDMENT TO THE EDUCATION SCIENCES
REFORM ACT OF 2002.

August 1, 2011.—Referred to the House Calendar and ordered to be printed.

MR. DREIER, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. __]

The Committee on Rules, having had under consideration House Resolution ____, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of S. 365, to make a technical amendment to the Education Sciences Reform Act of 2002, under a closed rule. The resolution provides one hour of debate with thirty minutes equally divided and controlled by the chair and ranking minority member of the Committee on Rules, fifteen minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means, and fifteen minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Budget. The resolution waives all points of order against consideration of the bill. The resolution provides that the amendment in the nature of a substitute printed in this report shall be considered as adopted. The bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill includes a waiver of clause 10 of rule XXI, prohibiting the consideration of a bill if it has the net effect of increasing mandatory spending over the five or ten year period.

Title V of the bill, as amended, provides \$17 billion in mandatory funding for the Federal Pell Grant program and makes other changes to education programs that decrease spending. While title V has the net effect of decreasing mandatory spending by \$5 billion over the ten year period, it also has the net effect of increasing mandatory spending by \$8 billion over the five year period, causing the bill to be in violation of clause 10 of rule XXI.

It is important to note that the bill, as amended, produces significant savings over the ten year period through the establishment of statutory caps on discretionary spending that are enforced by across-the-board spending reductions. Because these spending reductions are discretionary savings, the Congressional Budget Office does not take these savings into account for the purposes of clause 10 of rule XXI. It is also important to note that the Congressional Budget Office does not recognize the estimated \$16 billion in program integrity savings over the ten year period when calculating the net budgetary effect of title V for the purposes of enforcing clause 10 of rule XXI.

The waiver of all points of order against consideration of the bill also includes a waiver of section 302(f) of the Congressional Budget Act prohibiting the consideration of legislation providing new budget authority in excess of a committee's 302(a) allocation of such authority in the first fiscal year or over ten fiscal years. Title V of the bill, as amended, increases mandatory funding for the Federal Pell Grant program. The increase in funding exceeds the 302(a) allocation for the Committee on Education and the Workforce in the first fiscal year period by \$3 billion, causing the bill to be in violation of section 302(f) of the Congressional Budget Act.

The waiver of all points of order against consideration of the bill also includes a waiver of section 306 of the Congressional Budget Act prohibiting consideration of a bill containing matter within the jurisdiction of the Committee on the Budget not reported by the Committee on the Budget.

Although the resolution waives all points of order against provisions in the bill, as amended, the Committee is not aware of any points of order against provisions in the bill, as amended. The waiver is prophylactic.

SUMMARY OF AMENDMENT CONSIDERED AS ADOPTED

The amendment in the nature of a substitute would strike all after the enacting clause and insert a new matter consisting of the Budget Control Act of 2011 (BCA). The BCA would: establish ten year discretionary spending caps; provide for the passage of a balanced budget amendment to the Constitution; create a joint committee of Congress charged with making legislative recommendations to achieve additional spending reductions; increase the debt limit pursuant to a resolution of disapproval and sequestration procedures; establish expedited procedures for consideration of a resolution of disapproval and for consideration of the joint committee's recommendations; and make changes to the Pell Grant program.

SECTION-BY-SECTION ANALYSIS OF THE BUDGET CONTROL ACT OF 2011 AS PRINTED IN THIS REPORT

Section 1. Short Title; Table of Contents.

This section provides a short title for the bill, the “Budget Control Act of 2011.” It also provides a table of contents.

Sec. 2. Severability.

This section ensures that if a provision of this bill is found to be unconstitutional, the other provisions of the bill will remain in force and effect.

TITLE I—TEN-YEAR DISCRETIONARY CAPS WITH SEQUESTER

Sec. 101. Enforcing Discretionary Spending Limits

This section amends section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 to establish 10-year discretionary spending limits (caps) for fiscal years 2012 through 2021 that would reduce the deficit by \$917 billion. Subsection (a) enforces the discretionary spending caps through a sequestration process (across-the-board reductions) occurring 15 days after Congress adjourns at the end of a session and authorizes the President to exempt any military personnel accounts from sequestration provided that the savings are achieved through across-the-board reductions in the remainder of the Department of Defense (DOD) budget. Subsection (a) largely mirrors the Balanced Budget and Emergency Deficit Control Act of 1985 (also known as “Gramm-Rudman-Hollings”) providing guidance for part-year appropriations, a look-back sequester, and a within session sequestration if caps are exceeded. It also provides a timeline of Congressional Budget Office (CBO) and Office of Management and Budget (OMB) estimates and explanation of differences.

Subsection (b) provides for adjustments to discretionary spending limits for emergency appropriations, appropriations for the global war on terrorism, and appropriations for major disasters. It also provides adjustments for additional spending to combat waste, fraud, and abuse.

Subsection (c) establishes discretionary limits for FY 2012 through 2021. It sets separate discretionary limits for security programs (Departments of Defense, Homeland Security, and Veterans’ Affairs, the National Nuclear Security Administration, the intelligence community management account, and Function 150 (State Department and International Assistance)) and non-security programs for FY 2012 and FY 2013.

Sec. 102. Definitions

This section amends section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985 to define terms used in the title, including emergencies.

Sec. 103. Reports and Orders

This section provides updates to reports and orders required by section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985.

Sec. 104. Expiration

This section repeals section 275 of the Balance Budget and Emergency Deficit Control Act of 1985 that has the effect of putting the discretionary enforcement sequester procedures in effect.

Sec. 105. Amendments to the Congressional Budget and Impoundment Control Act of 1974

This section provides for amendments to the Congressional Budget Act of 1974. Specifically, section 314 of that Act is amended to allow the Chairman of the House and Senate Budget Committees to make budgetary adjustments to reflect the adjustments in spending limits. It also provides for the budget treatment of emergency spending and a process by which members of the House can strike a designation for emergency funding.

The section further establishes a new point of order against consideration of a measure that would violate the discretionary spending caps. A waiver of this point of order would require a three-fifths vote in the Senate.

Sec. 106. Senate Budget Enforcement

This section deems a budget passed in the Senate for purposes of providing committee allocations and budget enforcement tools. With the exception of discretionary levels, the deeming language largely follows CBO baseline levels.

TITLE II—VOTE ON THE BALANCED BUDGET AMENDMENT

Sec. 201. Vote on the Balanced Budget Amendment

This section requires a vote on passage of a joint resolution entitled “Joint resolution proposing a balanced budget amendment to the Constitution of the United States” between October 1, 2011 and December 31, 2011.

Sec. 202. Consideration by the Other House.

This section provides for expedited consideration by the House and Senate of the joint resolution of the other House. These provisions are largely similar to the expedited procedures used in title III.

TITLE III—DEBT CEILING DISAPPROVAL PROCESS

Sec. 301. Debt Ceiling Disapproval Process.

This section adds a new section after 31 U.S.C. 3101 providing for modification of the debt ceiling by the President and a process for the Congress to disapprove of those modifications.

The new section provides that if the President submits a written certification to Congress by December 31, 2011 that the debt is within \$100 billion of the debt limit, the Secretary of the Treasury is authorized to borrow an additional \$900 billion, subject to the enactment of a joint resolution of disapproval. Upon submission of the certification, the debt limit is increased by \$400 billion.

The section authorizes the Congress to consider a joint resolution of disapproval subject to the procedures of this section. If Congress fails to enact the joint resolution, the debt limit is increased by an additional \$500 billion.

In the absence of any further action by Congress, this section authorizes the Secretary to borrow an additional amount equal to \$1.2 trillion, subject to Presidential certification and Congressional disapproval. If a balanced budget amendment is sent to the states for ratification, the Secretary may borrow \$1.5 trillion. If a balanced budget amendment is not sent to the states for ratification, but the amount of deficit reduction achieved by the joint committee is greater than \$1.2 trillion, the Secretary is permitted to borrow an amount equal to the amount of deficit reduction, but may not exceed \$1.5 trillion. All increases in borrowing authority are subject to Congressional disapproval.

The section further mandates the content of the joint resolution of disapproval, limitations on when a joint resolution may be introduced, and expedited procedures for consideration of the joint resolution. Under this section, a resolution of disapproval must be enacted within 50 calendar days for the initial \$900 billion or within 15 calendar days for an additional amount to prevent an increase in borrowing authority.

Expedited procedures in the House:

- Any committee to which the joint resolution has been referred must report it to the House not later than five calendar days after the introduction of the joint resolution. If a committee fails to report the joint resolution within the time period, the committee is discharged from further consideration.
- Requires consideration of the joint resolution in the House not later than six calendar days after introduction of the joint resolution.

- All points of order against the joint resolution and its consideration are waived.
- No amendments to the joint resolution are in order.
- The joint resolution is debatable for two hours prior to a vote on passage.

Expedited procedures in the Senate:

- A motion to proceed to a joint resolution of disapproval of the initial \$900 billion increase to the debt limit is in order at any time during the period beginning the day after receipt of a Presidential certification and ending on September 14, 2011.
- A motion to proceed to a joint resolution of disapproval of the additional amount is in order at any time during the period beginning the day after receipt of a Presidential certification and ending on the 6th day after Congress has received a certification.
- All points of order against the joint resolution are waived.
- No amendments to the joint resolution are in order.
- Consideration of the joint resolution is limited to not more than 10 hours.

The section also provides that if the President vetoes a resolution of disapproval and the Congress overrides the veto, the debt limit is not increased. If the Congress overrides the President's veto, the Office of Management and Budget is directed to sequester pro rata amounts from certain accounts equal to the initial \$400 billion provided in this section for the first round of debt limit increases.

Sec. 302. Enforcement of Budget Goal.

If the joint committee, created in title IV of this bill fails to achieve at least \$1.2 trillion in deficit reduction, a sequestration process must be implemented. As part of the sequestration procedures, this section establishes revised security and non-security allocations for each fiscal year and revises the definition of security category, limiting the category to the Department of Defense. It also reduces the discretionary spending limits and includes sequestration procedures for direct spending to ensure these spending reductions are achieved.

TITLE IV—JOINT SELECT COMMITTEE ON DEFICIT REDUCTION

Sec. 401. Establishment of Joint Committee.

Subsection (a) defines terms used in the title. Specifically, it defines the term "joint committee" as the Joint Select Committee on Deficit Reduction and "joint committee bill" as the bill containing the legislative recommendations of the joint committee.

Subsection (b) provides for the establishment of the joint committee. Paragraph (1) establishes the joint committee, and paragraph (2) sets forth the goal of reducing the deficit by \$1.5 trillion over the period of 2012 through 2021.

Paragraph (3) establishes the duties of the joint committee. The joint committee is required to provide recommendations (including legislative language) that will significantly improve both the short- and long-term fiscal imbalance of the Federal Government.

The joint committee must also consider any recommendations from House and Senate committees with respect to changes in law necessary to meet the goal of the joint committee. Those committees may report their recommendations to the joint committee by October 14, 2011.

By November 23, 2011, the joint committee is required to vote on a report which contains the findings, conclusions, and recommendations of the joint committee, as well as the estimates provided by the Congressional Budget Office (CBO) and legislative language in support of those recommendations, which must also contain a statement of the deficit reduction achieved over fiscal years 2012 through 2021. A majority of the members of the joint committee must approve the report and accompanying legislative language. The text of the report and accompanying legislative language must be made public promptly after the vote on adoption of those matters.

The legislation also provides for any member of the joint committee to file additional, supplemental, or minority views within 3 calendar days if that member provides notice of his or her intention at the time of final vote on adoption of the report and legislative language. The report and accompanying legislative language must be transmitted to the President, Vice President, the Speaker of the House, and the majority and minority leaders of the House and Senate by December 2, 2011.

The joint committee is to be comprised of 12 members appointed by the majority and minority leaders of the Senate, and the Speaker and minority leader of the House, who each must appoint three members. The Speaker and the majority leader of the Senate must each appoint one member to serve as Co-Chair from among the members of the joint committee. The members of the joint committee and the Co-Chairs must be appointed within 14 calendar days after enactment of this bill. Members are appointed for the life of the joint committee, and a vacancy must be filled in the same manner as the original appointment.

The Co-Chairs must jointly hire a staff director for the joint committee. It is also authorized to incur expenses in the same manner as the Joint Economic Committee and any actual and necessary expenses approved by the co-chairs are authorized to be disbursed by the Senate, subject to Senate rules and regulations.

Seven members of the joint committee constitute a quorum for purposes of voting, meeting, and holding hearings.

With respect to voting, proxy voting is prohibited and the joint committee is enjoined from voting on the report, recommendations, or legislative language unless an estimate from the CBO is available to the members of the joint committee for at least 48 hours prior. In its analysis, CBO is required to estimate the effect of

interest payments on the debt, and CBO is also directed to estimate the budgetary effects of the legislative language beyond 2021.

The joint committee must hold its first meeting not later than 45 days after the date of enactment of this legislation and the Co-Chairs must provide an agenda at least 48 hours prior to each meeting.

The joint committee is authorized to hold hearings, require attendance of witnesses and production of documents, take testimony, receive evidence, and administer oaths as the committee deems advisable. It may also sit and act whenever necessary.

Hearings must be announced at least 7 days in advance, unless the Co-Chairs determine that there is good cause to hold a hearing earlier. Witnesses appearing before the joint committee must file a written statement of proposed testimony at least 2 days prior to appearance, unless waived by the Co-Chairs.

Federal agencies must provide technical assistance to the joint committee on the written request of the Co-Chairs.

Subsection (c)(1) addresses the staff of the joint committee. The Co-Chairs are authorized to appoint and set the compensation of staff as they deem necessary, and within the guidelines and rules for Senate employees. Paragraph (2) provides that the members of the joint committee will be bound by the rules and ethical requirements of the House in which they serve, while the staff of the joint committee is governed by the Senate ethics rules.

Sec. 402. Expedited Consideration of Joint Committee Recommendations.

Subsection (a) provides for introduction of the joint committee's legislative recommendations. If approved by the joint committee, the legislative language accompanying their recommendations must be introduced on the next session or legislative day in the House or Senate, respectively. The measure is to be introduced (by request) in the Senate and House by the majority leader of each body or a designee.

Subsection (b) provides for expedited consideration in the House. Each committee receiving a referral of the joint committee bill must report that bill without amendment not later than December 9, 2011. If a committee fails to report the bill prior to that date, a member may offer a motion to discharge the bill. That motion is debatable for 20 minutes, equally divided and controlled between the proponent and an opponent and a motion to reconsider the vote disposing of the motion is not available. The motion to discharge is not available after the last committee reports the bill or the House has considered a prior motion to discharge.

If the motion is adopted or after the last committee reports the joint committee bill, a motion to proceed to the consideration of the bill is in order. The motion to proceed is not debatable, and a motion to reconsider the vote disposing of the motion to proceed is not available.

If the House proceeds to consideration of the joint committee bill, all points of order against the bill and its consideration are waived, and it is considered as read. The joint committee bill is debatable for 2 hours, equally divided and controlled by the proponent and an opponent. One motion to limit debate is available, while a motion to reconsider the vote disposing of the joint committee bill is not in order. The vote on passage of the joint committee bill must occur on or before December 23, 2011.

Subsection (c) provides for expedited consideration in the Senate. The joint committee bill must be referred jointly to the committees of jurisdiction. Each committee to which the bill is referred must report the bill with a favorable or unfavorable recommendation, or no recommendation, by not later than December 9, 2011 and without amendment. If any committee fails to report the bill by that date, that committee will be automatically discharged and the joint committee bill placed on the appropriate calendar.

Two days after the last Senate committee reports the joint committee bill or is discharged, the majority leader of the Senate or a designee may move to proceed to the consideration of the joint committee bill, even if a prior motion to proceed has failed. All points of order against the motion to proceed are waived and it is not debatable, and it is not subject to a motion to postpone or reconsider. If the motion to proceed is agreed to, the joint committee bill will remain unfinished business until it is disposed of.

Consideration of the joint committee bill, including all debatable motions and appeals, is limited to 30 hours equally divided between the majority and minority leaders of the Senate. All points of order against the joint committee bill and its consideration are waived. A non-debatable motion to limit debate is available and requires an affirmative three-fifths vote. Any debatable motion or appeal is limited to one hour, equally divided between a proponent and an opponent. All time used for consideration of the joint committee bill, including time used for quorum calls, counts against the 30-hour total.

No amendments to the joint committee bill or a motion to postpone, proceed to the consideration of other business, or recommit are in order. Appeals from decisions of the chair regarding application of the rules of the Senate to consideration of the joint committee bill are non-debatable.

The Senate must vote on passage of the joint committee bill immediately after the conclusion of debate and a quorum call, if requested. The Senate must also vote on the joint committee bill not later than December 23, 2011.

Subsection (d) provides that the joint committee bill is not subject to amendment in either the House or Senate.

Subsection (e) provides standard language to address the handling of the joint committee bill if passed by one chamber before the other has completed its consideration. It also provides that if the joint committee bill is a revenue measure, the subsection does not apply to the House.

Subsection (f) also contains several standard provisions to address issues in the Senate when they receive a joint committee bill from the House. First, it provides that joint committee bill originated by the House is entitled to expedited consideration in the Senate if the Senate fails to introduce or consider a joint committee bill. Second, if the Senate receives the joint committee bill after passage of the joint committee bill, the House version is not debatable and the vote on passage of the Senate version is considered to be the vote on the House version. Finally, it provides that debate on a veto message on the joint committee bill in the Senate is limited to one hour, equally divided between the majority and minority leaders.

Subsection (g) provides that the joint committee bill loses its privileged status if the joint committee fails to vote on the report or legislative language by November 23, 2011 or the joint committee bill does not pass both the House and Senate by December 23, 2011.

Sec. 403. Funding.

This section provides that the funding of the joint committee is to be paid equally out of the applicable accounts of the Senate and House of Representatives, subject to the rules and regulations of the Senate.

Sec. 404. Rulemaking.

This section clarifies that the provisions are enacted as an exercise of the rulemaking powers of the House and Senate, that they are considered part of the rules of each House, and that each House has a constitutional right to change the rules in the same manner that each House may change any other rule.

TITLE V—PELL GRANT AND STUDENT LOAN PROGRAM CHANGES

Sec. 501. Federal Pell Grants.

This section provides \$17 billion in mandatory funds over two years to help fill the funding gap in the Federal Pell Grant program. This additional funding is offset by reductions through reforms to the student loan program in sections 502 and 503.

Sec. 502. Termination of Authority to Make Interest Subsidized Loans to Graduate and Professional Students.

This section eliminates the ability of graduate and professional students to take out subsidized Stafford loans, beginning on July 1, 2012. This elimination does not apply to students enrolled in a program leading up to a degree or certificate or students enrolled in a program necessary for a teaching credential or certification where such credential or certification is required by the state.

Sec. 503. Termination of Direct Loan Repayment Incentives.

This section sunsets the Secretary of Education's authority to provide incentives for on-time repayment of students loans on July 1, 2012. This section also explicitly prohibits the Secretary of Education from creating any incentives for on-time repayment of student loans.

Sec. 504. Inapplicability of Title IV Negotiated Rulemaking and Master Calendar Exception.

This section clarifies that the negotiated rulemaking requirement included in title IV and the master calendar requirements to not apply to the changes made in this Act.

TEXT OF AMENDMENT CONSIDERED AS ADOPTED

TEXT OF BUDGET CONTROL ACT AMENDMENT

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Budget Control Act of 2011”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Severability.

TITLE I—TEN-YEAR DISCRETIONARY CAPS WITH SEQUESTER

Sec. 101. Enforcing discretionary spending limits.

Sec. 102. Definitions.

Sec. 103. Reports and orders.

Sec. 104. Expiration.

Sec. 105. Amendments to the Congressional Budget and Impoundment Control
Act of 1974.

Sec. 106. Senate budget enforcement.

TITLE II—VOTE ON THE BALANCED BUDGET AMENDMENT

Sec. 201. Vote on the balanced budget amendment.

Sec. 202. Consideration by the other House.

TITLE III—DEBT CEILING DISAPPROVAL PROCESS

Sec. 301. Debt ceiling disapproval process.

Sec. 302. Enforcement of budget goal.

TITLE IV—JOINT SELECT COMMITTEE ON DEFICIT REDUCTION

Sec. 401. Establishment of Joint Select Committee.

Sec. 402. Expedited consideration of joint committee recommendations.

Sec. 403. Funding.

Sec. 404. Rulemaking.

TITLE V—PELL GRANT AND STUDENT LOAN PROGRAM CHANGES

Sec. 501. Federal Pell grants.

Sec. 502. Termination of authority to make interest subsidized loans to graduate and professional students.

Sec. 503. Termination of direct loan repayment incentives.

Sec. 504. Inapplicability of title IV negotiated rulemaking and master calendar exception.

1 **SEC. 2. SEVERABILITY.**

2 If any provision of this Act, or any application of such
3 provision to any person or circumstance, is held to be un-
4 constitutional, the remainder of this Act and the applica-
5 tion of this Act to any other person or circumstance shall
6 not be affected.

7 **TITLE I—TEN-YEAR DISCRE-**
8 **TIONARY CAPS WITH SEQUES-**
9 **TER**

10 **SEC. 101. ENFORCING DISCRETIONARY SPENDING LIMITS.**

11 Section 251 of the Balanced Budget and Emergency
12 Deficit Control Act of 1985 is amended to read as follows:

13 **“SEC. 251. ENFORCING DISCRETIONARY SPENDING LIMITS.**

14 **“(a) ENFORCEMENT.—**

15 **“(1) SEQUESTRATION.—**Within 15 calendar
16 days after Congress adjourns to end a session there
17 shall be a sequestration to eliminate a budget-year
18 breach, if any, within any category.

19 **“(2) ELIMINATING A BREACH.—**Each non-ex-
20 empt account within a category shall be reduced by
21 a dollar amount calculated by multiplying the en-
22 acted level of sequestrable budgetary resources in

1 that account at that time by the uniform percentage
2 necessary to eliminate a breach within that category.

3 “(3) MILITARY PERSONNEL.—If the President
4 uses the authority to exempt any personnel account
5 from sequestration under section 255(f), each ac-
6 count within subfunctional category 051 (other than
7 those military personnel accounts for which the au-
8 thority provided under section 255(f) has been exer-
9 cised) shall be further reduced by a dollar amount
10 calculated by multiplying the enacted level of non-ex-
11 empt budgetary resources in that account at that
12 time by the uniform percentage necessary to offset
13 the total dollar amount by which outlays are not re-
14 duced in military personnel accounts by reason of
15 the use of such authority.

16 “(4) PART-YEAR APPROPRIATIONS.—If, on the
17 date specified in paragraph (1), there is in effect an
18 Act making or continuing appropriations for part of
19 a fiscal year for any budget account, then the dollar
20 sequestration calculated for that account under
21 paragraphs (2) and (3) shall be subtracted from—

22 “(A) the annualized amount otherwise
23 available by law in that account under that or
24 a subsequent part-year appropriation; and

1 “(B) when a full-year appropriation for
2 that account is enacted, from the amount other-
3 wise provided by the full-year appropriation for
4 that account.

5 “(5) LOOK-BACK.—If, after June 30, an appro-
6 priation for the fiscal year in progress is enacted
7 that causes a breach within a category for that year
8 (after taking into account any sequestration of
9 amounts within that category), the discretionary
10 spending limits for that category for the next fiscal
11 year shall be reduced by the amount or amounts of
12 that breach.

13 “(6) WITHIN-SESSION SEQUESTRATION.—If an
14 appropriation for a fiscal year in progress is enacted
15 (after Congress adjourns to end the session for that
16 budget year and before July 1 of that fiscal year)
17 that causes a breach within a category for that year
18 (after taking into account any prior sequestration of
19 amounts within that category), 15 days later there
20 shall be a sequestration to eliminate that breach
21 within that category following the procedures set
22 forth in paragraphs (2) through (4).

23 “(7) ESTIMATES.—

24 “(A) CBO ESTIMATES.—As soon as prac-
25 ticable after Congress completes action on any

1 discretionary appropriation, CBO, after con-
2 sultation with the Committees on the Budget of
3 the House of Representatives and the Senate,
4 shall provide OMB with an estimate of the
5 amount of discretionary new budget authority
6 and outlays for the current year, if any, and the
7 budget year provided by that legislation.

8 “(B) OMB ESTIMATES AND EXPLANATION
9 OF DIFFERENCES.—Not later than 7 calendar
10 days (excluding Saturdays, Sundays, and legal
11 holidays) after the date of enactment of any
12 discretionary appropriation, OMB shall trans-
13 mit a report to the House of Representatives
14 and to the Senate containing the CBO estimate
15 of that legislation, an OMB estimate of the
16 amount of discretionary new budget authority
17 and outlays for the current year, if any, and the
18 budget year provided by that legislation, and an
19 explanation of any difference between the 2 es-
20 timates. If during the preparation of the report
21 OMB determines that there is a significant dif-
22 ference between OMB and CBO, OMB shall
23 consult with the Committees on the Budget of
24 the House of Representatives and the Senate
25 regarding that difference and that consultation

1 shall include, to the extent practicable, written
2 communication to those committees that affords
3 such committees the opportunity to comment
4 before the issuance of the report.

5 “(C) ASSUMPTIONS AND GUIDELINES.—
6 OMB estimates under this paragraph shall be
7 made using current economic and technical as-
8 sumptions. OMB shall use the OMB estimates
9 transmitted to the Congress under this para-
10 graph. OMB and CBO shall prepare estimates
11 under this paragraph in conformance with
12 scorekeeping guidelines determined after con-
13 sultation among the Committees on the Budget
14 of the House of Representatives and the Sen-
15 ate, CBO, and OMB.

16 “(D) ANNUAL APPROPRIATIONS.—For
17 purposes of this paragraph, amounts provided
18 by annual appropriations shall include any dis-
19 cretionary appropriations for the current year,
20 if any, and the budget year in accounts for
21 which funding is provided in that legislation
22 that result from previously enacted legislation.

23 “(b) ADJUSTMENTS TO DISCRETIONARY SPENDING
24 LIMITS.—

1 “(1) CONCEPTS AND DEFINITIONS.—When the
2 President submits the budget under section 1105 of
3 title 31, United States Code, OMB shall calculate
4 and the budget shall include adjustments to discre-
5 tionary spending limits (and those limits as cumula-
6 tively adjusted) for the budget year and each out-
7 year to reflect changes in concepts and definitions.
8 Such changes shall equal the baseline levels of new
9 budget authority and outlays using up-to-date con-
10 cepts and definitions, minus those levels using the
11 concepts and definitions in effect before such
12 changes. Such changes may only be made after con-
13 sultation with the Committees on Appropriations
14 and the Budget of the House of Representatives and
15 the Senate, and that consultation shall include writ-
16 ten communication to such committees that affords
17 such committees the opportunity to comment before
18 official action is taken with respect to such changes.

19 “(2) SEQUESTRATION REPORTS.—When OMB
20 submits a sequestration report under section 254(e),
21 (f), or (g) for a fiscal year, OMB shall calculate, and
22 the sequestration report and subsequent budgets
23 submitted by the President under section 1105(a) of
24 title 31, United States Code, shall include adjust-
25 ments to discretionary spending limits (and those

1 limits as adjusted) for the fiscal year and each suc-
2 ceeding year, as follows:

3 “(A) EMERGENCY APPROPRIATIONS; OVER-
4 SEAS CONTINGENCY OPERATIONS/GLOBAL WAR
5 ON TERRORISM.—If, for any fiscal year, appro-
6 priations for discretionary accounts are enacted
7 that—

8 “(i) the Congress designates as emer-
9 gency requirements in statute on an ac-
10 count by account basis and the President
11 subsequently so designates, or

12 “(ii) the Congress designates for
13 Overseas Contingency Operations/Global
14 War on Terrorism in statute on an account
15 by account basis and the President subse-
16 quently so designates,

17 the adjustment shall be the total of such appro-
18 priations in discretionary accounts designated
19 as emergency requirements or for Overseas
20 Contingency Operations/Global War on Ter-
21 rorism, as applicable.

22 “(B) CONTINUING DISABILITY REVIEWS
23 AND REDETERMINATIONS.—(i) If a bill or joint
24 resolution making appropriations for a fiscal
25 year is enacted that specifies an amount for

1 continuing disability reviews under titles II and
2 XVI of the Social Security Act and for the cost
3 associated with conducting redeterminations of
4 eligibility under title XVI of the Social Security
5 Act, then the adjustments for that fiscal year
6 shall be the additional new budget authority
7 provided in that Act for such expenses for that
8 fiscal year, but shall not exceed—

9 “(I) for fiscal year 2012,
10 \$623,000,000 in additional new budget au-
11 thority;

12 “(II) for fiscal year 2013,
13 \$751,000,000 in additional new budget au-
14 thority;

15 “(III) for fiscal year 2014,
16 \$924,000,000 in additional new budget au-
17 thority;

18 “(IV) for fiscal year 2015,
19 \$1,123,000,000 in additional new budget
20 authority;

21 “(V) for fiscal year 2016,
22 \$1,166,000,000 in additional new budget
23 authority;

1 “(VI) for fiscal year 2017,
2 \$1,309,000,000 in additional new budget
3 authority;

4 “(VII) for fiscal year 2018,
5 \$1,309,000,000 in additional new budget
6 authority;

7 “(VIII) for fiscal year 2019,
8 \$1,309,000,000 in additional new budget
9 authority;

10 “(IX) for fiscal year 2020,
11 \$1,309,000,000 in additional new budget
12 authority; and

13 “(X) for fiscal year 2021,
14 \$1,309,000,000 in additional new budget
15 authority.

16 “(ii) As used in this subparagraph—

17 “(I) the term ‘continuing disability re-
18 views’ means continuing disability reviews
19 under sections 221(i) and 1614(a)(4) of
20 the Social Security Act;

21 “(II) the term ‘redetermination’
22 means redetermination of eligibility under
23 sections 1611(c)(1) and 1614(a)(3)(H) of
24 the Social Security Act; and

1 “(III) the term ‘additional new budget
2 authority’ means the amount provided for
3 a fiscal year, in excess of \$273,000,000, in
4 an appropriation Act and specified to pay
5 for the costs of continuing disability re-
6 views and redeterminations under the
7 heading ‘Limitation on Administrative Ex-
8 penses’ for the Social Security Administra-
9 tion.

10 “(C) HEALTH CARE FRAUD AND ABUSE
11 CONTROL.—(i) If a bill or joint resolution mak-
12 ing appropriations for a fiscal year is enacted
13 that specifies an amount for the health care
14 fraud abuse control program at the Department
15 of Health and Human Services (75–8393–0–7–
16 571), then the adjustments for that fiscal year
17 shall be the amount of additional new budget
18 authority provided in that Act for such program
19 for that fiscal year, but shall not exceed—

20 “(I) for fiscal year 2012,
21 \$270,000,000 in additional new budget au-
22 thority;

23 “(II) for fiscal year 2013,
24 \$299,000,000 in additional new budget au-
25 thority;

1 “(III) for fiscal year 2014,
2 \$329,000,000 in additional new budget au-
3 thority;

4 “(IV) for fiscal year 2015,
5 \$361,000,000 in additional new budget au-
6 thority;

7 “(V) for fiscal year 2016,
8 \$395,000,000 in additional new budget au-
9 thority;

10 “(VI) for fiscal year 2017,
11 \$414,000,000 in additional new budget au-
12 thority;

13 “(VII) for fiscal year 2018,
14 \$434,000,000 in additional new budget au-
15 thority;

16 “(VIII) for fiscal year 2019,
17 \$454,000,000 in additional new budget au-
18 thority;

19 “(IX) for fiscal year 2020,
20 \$475,000,000 in additional new budget au-
21 thority; and

22 “(X) for fiscal year 2021,
23 \$496,000,000 in additional new budget au-
24 thority.

1 “(ii) As used in this subparagraph, the
2 term ‘additional new budget authority’ means
3 the amount provided for a fiscal year, in excess
4 of \$311,000,000, in an appropriation Act and
5 specified to pay for the costs of the health care
6 fraud and abuse control program.

7 “(D) DISASTER FUNDING.—

8 “(i) If, for fiscal years 2012 through
9 2021, appropriations for discretionary ac-
10 counts are enacted that Congress des-
11 ignates as being for disaster relief in stat-
12 ute, the adjustment for a fiscal year shall
13 be the total of such appropriations for the
14 fiscal year in discretionary accounts des-
15 ignated as being for disaster relief, but not
16 to exceed the total of—

17 “(I) the average funding provided
18 for disaster relief over the previous 10
19 years, excluding the highest and low-
20 est years; and

21 “(II) the amount, for years when
22 the enacted new discretionary budget
23 authority designated as being for dis-
24 aster relief for the preceding fiscal
25 year was less than the average as cal-

1 culated in subclause (I) for that fiscal
2 year, that is the difference between
3 the enacted amount and the allowable
4 adjustment as calculated in such sub-
5 clause for that fiscal year.

6 “(ii) OMB shall report to the Com-
7 mittees on Appropriations and Budget in
8 each House the average calculated pursu-
9 ant to clause (i)(II), not later than 30 days
10 after the date of the enactment of the
11 Budget Control Act of 2011.

12 “(iii) For the purposes of this sub-
13 paragraph, the term ‘disaster relief’ means
14 activities carried out pursuant to a deter-
15 mination under section 102(2) of the Rob-
16 ert T. Stafford Disaster Relief and Emer-
17 gency Assistance Act (42 U.S.C. 5122(2)).

18 “(iv) Appropriations considered dis-
19 aster relief under this subparagraph in a
20 fiscal year shall not be eligible for adjust-
21 ments under subparagraph (A) for the fis-
22 cal year.

23 “(c) DISCRETIONARY SPENDING LIMIT.—As used in
24 this part, the term ‘discretionary spending limit’ means—

25 “(1) with respect to fiscal year 2012—

1 “(A) for the security category,
2 \$684,000,000,000 in new budget authority; and

3 “(B) for the nonsecurity category,
4 \$359,000,000,000 in new budget authority;

5 “(2) with respect to fiscal year 2013—

6 “(A) for the security category,
7 \$686,000,000,000 in new budget authority; and

8 “(B) for the nonsecurity category,
9 \$361,000,000,000 in new budget authority;

10 “(3) with respect to fiscal year 2014, for the
11 discretionary category, \$1,066,000,000,000 in new
12 budget authority;

13 “(4) with respect to fiscal year 2015, for the
14 discretionary category, \$1,086,000,000,000 in new
15 budget authority;

16 “(5) with respect to fiscal year 2016, for the
17 discretionary category, \$1,107,000,000,000 in new
18 budget authority;

19 “(6) with respect to fiscal year 2017, for the
20 discretionary category, \$1,131,000,000,000 in new
21 budget authority;

22 “(7) with respect to fiscal year 2018, for the
23 discretionary category, \$1,156,000,000,000 in new
24 budget authority;

1 “(8) with respect to fiscal year 2019, for the
2 discretionary category, \$1,182,000,000,000 in new
3 budget authority;

4 “(9) with respect to fiscal year 2020, for the
5 discretionary category, \$1,208,000,000,000 in new
6 budget authority; and

7 “(10) with respect to fiscal year 2021, for the
8 discretionary category, \$1,234,000,000,000 in new
9 budget authority;
10 as adjusted in strict conformance with subsection (b).”.

11 **SEC. 102. DEFINITIONS.**

12 Section 250(c) of the Balanced Budget and Emer-
13 gency Deficit Control Act of 1985 is amended as follows:

14 (1) Strike paragraph (4) and insert the fol-
15 lowing new paragraph:

16 “(4)(A) The term ‘nonsecurity category’ means
17 all discretionary appropriations not included in the
18 security category defined in subparagraph (B).

19 “(B) The term ‘security category’ includes dis-
20 cretionary appropriations associated with agency
21 budgets for the Department of Defense, the Depart-
22 ment of Homeland Security, the Department of Vet-
23 erans Affairs, the National Nuclear Security Admin-
24 istration, the intelligence community management
25 account (95–0401–0–1–054), and all budget ac-

1 counts in budget function 150 (international af-
2 fairs).

3 “(C) The term ‘discretionary category’ includes
4 all discretionary appropriations.”.

5 (2) In paragraph (8)(C), strike “the food stamp
6 program” and insert “the Supplemental Nutrition
7 Assistance Program”.

8 (3) Strike paragraph (14) and insert the fol-
9 lowing new paragraph:

10 “(14) The term ‘outyear’ means a fiscal year
11 one or more years after the budget year.”.

12 (4) At the end, add the following new para-
13 graphs:

14 “(20) The term ‘emergency’ means a situation
15 that—

16 “(A) requires new budget authority and
17 outlays (or new budget authority and the out-
18 lays flowing therefrom) for the prevention or
19 mitigation of, or response to, loss of life or
20 property, or a threat to national security; and

21 “(B) is unanticipated.

22 “(21) The term ‘unanticipated’ means that the
23 underlying situation is—

24 “(A) sudden, which means quickly coming
25 into being or not building up over time;

1 “(B) urgent, which means a pressing and
2 compelling need requiring immediate action;

3 “(C) unforeseen, which means not pre-
4 dicted or anticipated as an emerging need; and

5 “(D) temporary, which means not of a per-
6 manent duration.”.

7 **SEC. 103. REPORTS AND ORDERS.**

8 Section 254 of the Balanced Budget and Emergency
9 Deficit Control Act of 1985 is amended as follows:

10 (1) In subsection (c)(2), strike “2002” and in-
11 sert “2021”.

12 (2) At the end of subsection (e), insert “This
13 report shall also contain a preview estimate of the
14 adjustment for disaster funding for the upcoming
15 fiscal year.”.

16 (3) In subsection (f)(2)(A), strike “2002” and
17 insert “2021”; before the concluding period insert “,
18 including a final estimate of the adjustment for dis-
19 aster funding”.

20 **SEC. 104. EXPIRATION.**

21 (a) **REPEALER.**—Section 275 of the Balanced Budget
22 and Emergency Deficit Control Act of 1985 is repealed.

23 (b) **CONFORMING CHANGE.**—Sections 252(d)(1),
24 254(c), 254(f)(3), and 254(i) of the Balanced Budget and

1 Emergency Deficit Control Act of 1985 shall not apply
2 to the Congressional Budget Office.

3 **SEC. 105. AMENDMENTS TO THE CONGRESSIONAL BUDGET**
4 **AND IMPOUNDMENT CONTROL ACT OF 1974.**

5 (a) ADJUSTMENTS.—Section 314 of the Congres-
6 sional Budget Act of 1974 is amended as follows:

7 (1) Strike subsection (a) and insert the fol-
8 lowing:

9 “(a) ADJUSTMENTS.—After the reporting of a bill or
10 joint resolution or the offering of an amendment thereto
11 or the submission of a conference report thereon, the
12 chairman of the Committee on the Budget of the House
13 of Representatives or the Senate may make appropriate
14 budgetary adjustments of new budget authority and the
15 outlays flowing therefrom in the same amount as required
16 by section 251(b) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.”.

18 (2) Strike subsections (b) and (c) and redesign-
19 ate subsections (c) and (d) as subsections (b) and
20 (e), respectively.

21 (3) At the end, add the following new sub-
22 sections:

23 “(d) EMERGENCIES IN THE HOUSE OF REPRESENTA-
24 TIVES.— (1) In the House of Representatives, if a re-
25 ported bill or joint resolution, or amendment thereto or

1 conference report thereon, contains a provision providing
2 new budget authority and outlays or reducing revenue,
3 and a designation of such provision as an emergency re-
4 quirement pursuant to 251(b)(2)(A) of the Balanced
5 Budget and Emergency Deficit Control Act of 1985, the
6 chair of the Committee on the Budget of the House of
7 Representatives shall not count the budgetary effects of
8 such provision for purposes of title III and title IV of the
9 Congressional Budget Act of 1974 and the Rules of the
10 House of Representatives.

11 “(2)(A) In the House of Representatives, if a re-
12 ported bill or joint resolution, or amendment thereto or
13 conference report thereon, contains a provision providing
14 new budget authority and outlays or reducing revenue,
15 and a designation of such provision as an emergency pur-
16 suant to paragraph (1), the chair of the Committee on
17 the Budget shall not count the budgetary effects of such
18 provision for purposes of this title and title IV and the
19 Rules of the House of Representatives.

20 “(B) In the House of Representatives, a proposal to
21 strike a designation under subparagraph (A) shall be ex-
22 cluded from an evaluation of budgetary effects for pur-
23 poses of this title and title IV and the Rules of the House
24 of Representatives.

1 “(C) An amendment offered under subparagraph (B)
2 that also proposes to reduce each amount appropriated or
3 otherwise made available by the pending measure that is
4 not required to be appropriated or otherwise made avail-
5 able shall be in order at any point in the reading of the
6 pending measure.

7 “(e) ENFORCEMENT OF DISCRETIONARY SPENDING
8 CAPS.—It shall not be in order in the House of Represent-
9 atives or the Senate to consider any bill, joint resolution,
10 amendment, motion, or conference report that would cause
11 the discretionary spending limits as set forth in section
12 251 of the Balanced Budget and Emergency Deficit Con-
13 trol Act to be exceeded.”.

14 (b) DEFINITIONS.—Section 3 of the Congressional
15 Budget and Impoundment Control Act of 1974 is amend-
16 ed by adding at the end the following new paragraph:

17 “(11) The terms ‘emergency’ and ‘unantici-
18 pated’ have the meanings given to such terms in sec-
19 tion 250(c) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985.”.

21 (c) APPEALS FOR DISCRETIONARY CAPS.—Section
22 904(e)(2) of the Congressional Budget Act of 1974 is
23 amended by striking “and 312(c)” and inserting “312(c),
24 and 314(e)”.

1 **SEC. 106. SENATE BUDGET ENFORCEMENT.**

2 (a) IN GENERAL.—

3 (1) For the purpose of enforcing the Congress-
4 sional Budget Act of 1974 through April 15, 2012,
5 including section 300 of that Act, and enforcing
6 budgetary points of order in prior concurrent resolu-
7 tions on the budget, the allocations, aggregates, and
8 levels set in subsection (b)(1) shall apply in the Sen-
9 ate in the same manner as for a concurrent resolu-
10 tion on the budget for fiscal year 2012 with appro-
11 priate budgetary levels for fiscal years 2011 and
12 2013 through 2021.

13 (2) For the purpose of enforcing the Congress-
14 sional Budget Act of 1974 after April 15, 2012, in-
15 cluding section 300 of that Act, and enforcing budg-
16 etary points of order in prior concurrent resolutions
17 on the budget, the allocations, aggregates, and levels
18 set in subsection (b)(2) shall apply in the Senate in
19 the same manner as for a concurrent resolution on
20 the budget for fiscal year 2013 with appropriate
21 budgetary levels for fiscal years 2012 and 2014
22 through 2022.

23 (b) COMMITTEE ALLOCATIONS, AGGREGATES, AND
24 LEVELS.—

1 (1) As soon as practicable after the date of en-
2 actment of this section, the Chairman of the Com-
3 mittee on the Budget shall file—

4 (A) for the Committee on Appropriations,
5 committee allocations for fiscal years 2011 and
6 2012 consistent with the discretionary spending
7 limits set forth in this Act for the purpose of
8 enforcing section 302 of the Congressional
9 Budget Act of 1974;

10 (B) for all committees other than the Com-
11 mittee on Appropriations, committee allocations
12 for fiscal years 2011, 2012, 2012 through
13 2016, and 2012 through 2021 consistent with
14 the Congressional Budget Office's March 2011
15 baseline adjusted to account for the budgetary
16 effects of this Act and legislation enacted prior
17 to this Act but not included in the Congres-
18 sional Budget Office's March 2011 baseline, for
19 the purpose of enforcing section 302 of the
20 Congressional Budget Act of 1974;

21 (C) aggregate spending levels for fiscal
22 years 2011 and 2012 and aggregate revenue
23 levels for fiscal years 2011, 2012, 2012 through
24 2016, 2012 through 2021 consistent with the
25 Congressional Budget Office's March 2011

1 baseline adjusted to account for the budgetary
2 effects of this Act and legislation enacted prior
3 to this Act but not included in the Congressional
4 Budget Office's March 2011 baseline,
5 and the discretionary spending limits set forth
6 in this Act for the purpose of enforcing section
7 311 of the Congressional Budget Act of 1974;
8 and

9 (D) levels of Social Security revenues and
10 outlays for fiscal years 2011, 2012, 2012
11 through 2016, and 2012 through 2021 consistent
12 with the Congressional Budget Office's
13 March 2011 baseline adjusted to account for
14 the budgetary effects of this Act and legislation
15 enacted prior to this Act but not included in the
16 Congressional Budget Office's March 2011
17 baseline, for the purpose of enforcing sections
18 302 and 311 of the Congressional Budget Act
19 of 1974.

20 (2) Not later than April 15, 2012, the Chair-
21 man of the Committee on the Budget shall file—

22 (A) for the Committee on Appropriations,
23 committee allocations for fiscal years 2012 and
24 2013 consistent with the discretionary spending
25 limits set forth in this Act for the purpose of

1 enforcing section 302 of the Congressional
2 Budget Act of 1974;

3 (B) for all committees other than the Com-
4 mittee on Appropriations, committee allocations
5 for fiscal years 2012, 2013, 2013 through
6 2017, and 2013 through 2022 consistent with
7 the Congressional Budget Office's March 2012
8 baseline for the purpose of enforcing section
9 302 of the Congressional Budget Act of 1974;

10 (C) aggregate spending levels for fiscal
11 years 2012 and 2013 and aggregate revenue
12 levels for fiscal years 2012, 2013, 2013–2017,
13 and 2013–2022 consistent with the Congres-
14 sional Budget Office's March 2012 baseline and
15 the discretionary spending limits set forth in
16 this Act for the purpose of enforcing section
17 311 of the Congressional Budget Act of 1974;
18 and

19 (D) levels of Social Security revenues and
20 outlays for fiscal years 2012 and 2013, 2013–
21 2017, and 2013–2022 consistent with the Con-
22 gressional Budget Office's March 2012 baseline
23 budget for the purpose of enforcing sections
24 302 and 311 of the Congressional Budget Act
25 of 1974.

1 (c) SENATE PAY-AS-YOU-GO SCORECARD.—

2 (1) Effective on the date of enactment of this
3 section, for the purpose of enforcing section 201 of
4 S. Con. Res. 21 (110th Congress), the Chairman of
5 the Senate Committee on the Budget shall reduce
6 any balances of direct spending and revenues for any
7 fiscal year to 0 (zero).

8 (2) Not later than April 15, 2012, for the pur-
9 pose of enforcing section 201 of S. Con. Res. 21
10 (110th Congress), the Chairman of the Senate Com-
11 mittee on the Budget shall reduce any balances of
12 direct spending and revenues for any fiscal year to
13 0 (zero).

14 (3) Upon resetting the Senate paygo scorecard
15 pursuant to paragraph (2), the Chairman shall pub-
16 lish a notification of such action in the Congres-
17 sional Record.

18 (d) FURTHER ADJUSTMENTS.—

19 (1) The Chairman of the Committee on the
20 Budget of the Senate may revise any allocations, ag-
21 gregates, or levels set pursuant to this section to ac-
22 count for any subsequent adjustments to discre-
23 tionary spending limits made pursuant to this Act.

24 (2) With respect to any allocations, aggregates,
25 or levels set or adjustments made pursuant to this

1 section, sections 412 through 414 of S. Con. Res. 13
2 (111th Congress) shall remain in effect.

3 (e) EXPIRATION.—

4 (1) Subections (a)(1), (b)(1), and (c)(1) shall
5 expire if a concurrent resolution on the budget for
6 fiscal year 2012 is agreed to by the Senate and
7 House of Representatives pursuant to section 301 of
8 the Congressional Budget Act of 1974.

9 (2) Subections (a)(2), (b)(2), and (c)(2) shall
10 expire if a concurrent resolution on the budget for
11 fiscal year 2013 is agreed to by the Senate and
12 House of Representatives pursuant to section 301 of
13 the Congressional Budget Act of 1974.

14 **TITLE II—VOTE ON THE BAL-** 15 **ANCED BUDGET AMENDMENT**

16 **SEC. 201. VOTE ON THE BALANCED BUDGET AMENDMENT.**

17 After September 30, 2011, and not later than Decem-
18 ber 31, 2011, the House of Representatives and Senate,
19 respectively, shall vote on passage of a joint resolution,
20 the title of which is as follows: “Joint resolution proposing
21 a balanced budget amendment to the Constitution of the
22 United States.”.

23 **SEC. 202. CONSIDERATION BY THE OTHER HOUSE.**

24 (a) HOUSE CONSIDERATION.—

1 (1) REFERRAL.—If the House receives a joint
2 resolution described in section 201 from the Senate,
3 such joint resolution shall be referred to the Com-
4 mittee on the Judiciary. If the committee fails to re-
5 port the joint resolution within five legislative days,
6 it shall be in order to move that the House discharge
7 the committee from further consideration of the
8 joint resolution. Such a motion shall not be in order
9 after the House has disposed of a motion to dis-
10 charge the joint resolution. The previous question
11 shall be considered as ordered on the motion to its
12 adoption without intervening motion except twenty
13 minutes of debate equally divided and controlled by
14 the proponent and an opponent. If such a motion is
15 adopted, the House shall proceed immediately to
16 consider the joint resolution in accordance with
17 paragraph (3). A motion to reconsider the vote by
18 which the motion is disposed of shall not be in order.

19 (2) PROCEEDING TO CONSIDERATION.—After
20 the joint resolution has been referred to the appro-
21 priate calendar or the committee has been dis-
22 charged (other than by motion) from its consider-
23 ation, it shall be in order to move to proceed to con-
24 sider the joint resolution in the House. Such a mo-
25 tion shall not be in order after the House has dis-

1 posed of a motion to proceed with respect to the
2 joint resolution. The previous question shall be con-
3 sidered as ordered on the motion to its adoption
4 without intervening motion. A motion to reconsider
5 the vote by which the motion is disposed of shall not
6 be in order.

7 (3) CONSIDERATION.—The joint resolution
8 shall be considered as read. All points of order
9 against the joint resolution and against its consider-
10 ation are waived. The previous question shall be con-
11 sidered as ordered on the joint resolution to its pas-
12 sage without intervening motion except two hours of
13 debate equally divided and controlled by the pro-
14 ponent and an opponent and one motion to limit de-
15 bate on the joint resolution. A motion to reconsider
16 the vote on passage of the joint resolution shall not
17 be in order.

18 (b) SENATE CONSIDERATION.—(1) If the Senate re-
19 ceives a joint resolution described in section 201 from the
20 House of Representatives, such joint resolution shall be
21 referred to the appropriate committee of the Senate. If
22 such committee has not reported the joint resolution at
23 the close of the fifth session day after its receipt by the
24 Senate, such committee shall be automatically discharged

1 from further consideration of the joint resolution and it
2 shall be placed on the appropriate calendar.

3 (2) Consideration of the joint resolution and on all
4 debatable motions and appeals in connection therewith,
5 shall be limited to not more than 20 hours, which shall
6 be divided equally between the majority and minority lead-
7 ers or their designees. A motion further to limit debate
8 is in order and not debatable. An amendment to, or a mo-
9 tion to postpone, or a motion to proceed to the consider-
10 ation of other business, or a motion to recommit the joint
11 resolution is not in order. Any debatable motion or appeal
12 is debatable for not to exceed 1 hour, to be divided equally
13 between those favoring and those opposing the motion or
14 appeal. All time used for consideration of the joint resolu-
15 tion, including time used for quorum calls and voting,
16 shall be counted against the total 20 hours of consider-
17 ation.

18 (3) If the Senate has voted to proceed to a joint reso-
19 lution, the vote on passage of the joint resolution shall
20 be taken on or before the close of the seventh session day
21 after such joint resolution has been reported or discharged
22 or immediately following the conclusion of consideration
23 of the joint resolution, and a single quorum call at the
24 conclusion of the debate if requested in accordance with
25 the rules of the Senate.

TITLE III—DEBT CEILING DISAPPROVAL PROCESS

SEC. 301. DEBT CEILING DISAPPROVAL PROCESS.

(a) IN GENERAL.—Subchapter I of chapter 31 of subtitle III of title 31, United States Code, is amended—

(1) in section 3101(b), by striking “or otherwise” and inserting “or as provided by section 3101A or otherwise”; and

(2) by inserting after section 3101 the following:

“§ 3101A. Presidential modification of the debt ceiling

“(a) IN GENERAL.—

“(1) \$900 BILLION.—

“(A) CERTIFICATION.—If, not later than December 31, 2011, the President submits a written certification to Congress that the President has determined that the debt subject to limit is within \$100,000,000,000 of the limit in section 3101(b) and that further borrowing is required to meet existing commitments, the Secretary of the Treasury may exercise authority to borrow an additional \$900,000,000,000, subject to the enactment of a joint resolution of disapproval enacted pursuant to this section.

1 Upon submission of such certification, the limit
2 on debt provided in section 3101(b) (referred to
3 in this section as the ‘debt limit’) is increased
4 by \$400,000,000,000.

5 “(B) RESOLUTION OF DISAPPROVAL.—
6 Congress may consider a joint resolution of dis-
7 approval of the authority under subparagraph
8 (A) as provided in subsections (b) through (f).
9 The joint resolution of disapproval considered
10 under this section shall contain only the lan-
11 guage provided in subsection (b)(2). If the time
12 for disapproval has lapsed without enactment of
13 a joint resolution of disapproval under this sec-
14 tion, the debt limit is increased by an additional
15 \$500,000,000,000.

16 “(2) ADDITIONAL AMOUNT.—

17 “(A) CERTIFICATION.—If, after the debt
18 limit is increased by \$900,000,000,000 under
19 paragraph (1), the President submits a written
20 certification to Congress that the President has
21 determined that the debt subject to limit is
22 within \$100,000,000,000 of the limit in section
23 3101(b) and that further borrowing is required
24 to meet existing commitments, the Secretary of
25 the Treasury may, subject to the enactment of

1 a joint resolution of disapproval enacted pursu-
2 ant to this section, exercise authority to borrow
3 an additional amount equal to—

4 “(i) \$1,200,000,000,000, unless
5 clause (ii) or (iii) applies;

6 “(ii) \$1,500,000,000,000 if the Archi-
7 vist of the United States has submitted to
8 the States for their ratification a proposed
9 amendment to the Constitution of the
10 United States pursuant to a joint resolu-
11 tion entitled ‘Joint resolution proposing a
12 balanced budget amendment to the Con-
13 stitution of the United States’; or

14 “(iii) if a joint committee bill to
15 achieve an amount greater than
16 \$1,200,000,000,000 in deficit reduction as
17 provided in section 401(b)(3)(B)(i)(II) of
18 the Budget Control Act of 2011 is enacted,
19 an amount equal to the amount of that
20 deficit reduction, but not greater than
21 \$1,500,000,000,000, unless clause (ii) ap-
22 plies.

23 “(B) RESOLUTION OF DISAPPROVAL.—
24 Congress may consider a joint resolution of dis-
25 approval of the authority under subparagraph

1 (A) as provided in subsections (b) through (f).
2 The joint resolution of disapproval considered
3 under this section shall contain only the lan-
4 guage provided in subsection (b)(2). If the time
5 for disapproval has lapsed without enactment of
6 a joint resolution of disapproval under this sec-
7 tion, the debt limit is increased by the amount
8 authorized under subparagraph (A).

9 “(b) JOINT RESOLUTION OF DISAPPROVAL.—

10 “(1) IN GENERAL.—Except for the
11 \$400,000,000,000 increase in the debt limit pro-
12 vided by subsection (a)(1)(A), the debt limit may not
13 be raised under this section if, within 50 calendar
14 days after the date on which Congress receives a
15 certification described in subsection (a)(1) or within
16 15 calendar days after Congress receives the certifi-
17 cation described in subsection (a)(2) (regardless of
18 whether Congress is in session), there is enacted into
19 law a joint resolution disapproving the President’s
20 exercise of authority with respect to such additional
21 amount.

22 “(2) CONTENTS OF JOINT RESOLUTION.—For
23 the purpose of this section, the term ‘joint resolu-
24 tion’ means only a joint resolution—

1 “(A)(i) for the certification described in
2 subsection (a)(1), that is introduced on Sep-
3 tember 6, 7, 8, or 9, 2011 (or, if the Senate
4 was not in session, the next calendar day on
5 which the Senate is in session); and

6 “(ii) for the certification described in
7 subsection (a)(2), that is introduced be-
8 tween the date the certification is received
9 and 3 calendar days after that date;

10 “(B) which does not have a preamble;

11 “(C) the title of which is only as follows:
12 ‘Joint resolution relating to the disapproval of
13 the President’s exercise of authority to increase
14 the debt limit, as submitted under section
15 3101A of title 31, United States Code, on
16 _____’ (with the blank containing the
17 date of such submission); and

18 “(D) the matter after the resolving clause
19 of which is only as follows: ‘That Congress dis-
20 approves of the President’s exercise of authority
21 to increase the debt limit, as exercised pursuant
22 to the certification under section 3101A(a) of
23 title 31, United States Code.’.

24 “(e) EXPEDITED CONSIDERATION IN HOUSE OF
25 REPRESENTATIVES.—

1 “(1) RECONVENING.—Upon receipt of a certifi-
2 cation described in subsection (a)(2), the Speaker, if
3 the House would otherwise be adjourned, shall notify
4 the Members of the House that, pursuant to this
5 section, the House shall convene not later than the
6 second calendar day after receipt of such certifi-
7 cation.

8 “(2) REPORTING AND DISCHARGE.—Any com-
9 mittee of the House of Representatives to which a
10 joint resolution is referred shall report it to the
11 House without amendment not later than 5 calendar
12 days after the date of introduction of a joint resolu-
13 tion described in subsection (a). If a committee fails
14 to report the joint resolution within that period, the
15 committee shall be discharged from further consider-
16 ation of the joint resolution and the joint resolution
17 shall be referred to the appropriate calendar.

18 “(3) PROCEEDING TO CONSIDERATION.—After
19 each committee authorized to consider a joint resolu-
20 tion reports it to the House or has been discharged
21 from its consideration, it shall be in order, not later
22 than the sixth day after introduction of a joint reso-
23 lution under subsection (a), to move to proceed to
24 consider the joint resolution in the House. All points
25 of order against the motion are waived. Such a mo-

1 tion shall not be in order after the House has dis-
2 posed of a motion to proceed on a joint resolution
3 addressing a particular submission. The previous
4 question shall be considered as ordered on the mo-
5 tion to its adoption without intervening motion. The
6 motion shall not be debatable. A motion to recon-
7 sider the vote by which the motion is disposed of
8 shall not be in order.

9 “(4) CONSIDERATION.—The joint resolution
10 shall be considered as read. All points of order
11 against the joint resolution and against its consider-
12 ation are waived. The previous question shall be con-
13 sidered as ordered on the joint resolution to its pas-
14 sage without intervening motion except two hours of
15 debate equally divided and controlled by the pro-
16 ponent and an opponent. A motion to reconsider the
17 vote on passage of the joint resolution shall not be
18 in order.

19 “(d) EXPEDITED PROCEDURE IN SENATE.—

20 “(1) RECONVENING.—Upon receipt of a certifi-
21 cation under subsection (a)(2), if the Senate has ad-
22 jourled or recessed for more than 2 days, the major-
23 ity leader of the Senate, after consultation with the
24 minority leader of the Senate, shall notify the Mem-
25 bers of the Senate that, pursuant to this section, the

1 Senate shall convene not later than the second cal-
2 endar day after receipt of such message.

3 “(2) PLACEMENT ON CALENDAR.—Upon intro-
4 duction in the Senate, the joint resolution shall be
5 immediately placed on the calendar.

6 “(3) FLOOR CONSIDERATION.—

7 “(A) IN GENERAL.—Notwithstanding Rule
8 XXII of the Standing Rules of the Senate, it is
9 in order at any time during the period begin-
10 ning on the day after the date on which Con-
11 gress receives a certification under subsection
12 (a) and, for the certification described in sub-
13 section (a)(1), ending on September 14, 2011,
14 and for the certification described in subsection
15 (a)(2), on the 6th day after the date on which
16 Congress receives a certification under sub-
17 section (a) (even though a previous motion to
18 the same effect has been disagreed to) to move
19 to proceed to the consideration of the joint reso-
20 lution, and all points of order against the joint
21 resolution (and against consideration of the
22 joint resolution) are waived. The motion to pro-
23 ceed is not debatable. The motion is not subject
24 to a motion to postpone. A motion to reconsider
25 the vote by which the motion is agreed to or

1 disagreed to shall not be in order. If a motion
2 to proceed to the consideration of the resolution
3 is agreed to, the joint resolution shall remain
4 the unfinished business until disposed of.

5 “(B) CONSIDERATION.—Consideration of
6 the joint resolution, and on all debatable mo-
7 tions and appeals in connection therewith, shall
8 be limited to not more than 10 hours, which
9 shall be divided equally between the majority
10 and minority leaders or their designees. A mo-
11 tion further to limit debate is in order and not
12 debatable. An amendment to, or a motion to
13 postpone, or a motion to proceed to the consid-
14 eration of other business, or a motion to recom-
15 mit the joint resolution is not in order.

16 “(C) VOTE ON PASSAGE.—If the Senate
17 has voted to proceed to a joint resolution, the
18 vote on passage of the joint resolution shall
19 occur immediately following the conclusion of
20 consideration of the joint resolution, and a sin-
21 gle quorum call at the conclusion of the debate
22 if requested in accordance with the rules of the
23 Senate.

24 “(D) RULINGS OF THE CHAIR ON PROCE-
25 DURE.—Appeals from the decisions of the Chair

1 relating to the application of the rules of the
2 Senate, as the case may be, to the procedure re-
3 lating to a joint resolution shall be decided
4 without debate.

5 “(e) AMENDMENT NOT IN ORDER.—A joint resolu-
6 tion of disapproval considered pursuant to this section
7 shall not be subject to amendment in either the House
8 of Representatives or the Senate.

9 “(f) COORDINATION WITH ACTION BY OTHER
10 HOUSE.—

11 “(1) IN GENERAL.—If, before passing the joint
12 resolution, one House receives from the other a joint
13 resolution—

14 “(A) the joint resolution of the other
15 House shall not be referred to a committee; and

16 “(B) the procedure in the receiving House
17 shall be the same as if no joint resolution had
18 been received from the other House until the
19 vote on passage, when the joint resolution re-
20 ceived from the other House shall supplant the
21 joint resolution of the receiving House.

22 “(2) TREATMENT OF JOINT RESOLUTION OF
23 OTHER HOUSE.—If the Senate fails to introduce or
24 consider a joint resolution under this section, the

1 joint resolution of the House shall be entitled to ex-
2 pedited floor procedures under this section.

3 “(3) TREATMENT OF COMPANION MEASURES.—
4 If, following passage of the joint resolution in the
5 Senate, the Senate then receives the companion
6 measure from the House of Representatives, the
7 companion measure shall not be debatable.

8 “(4) CONSIDERATION AFTER PASSAGE.—(A) If
9 Congress passes a joint resolution, the period begin-
10 ning on the date the President is presented with the
11 joint resolution and ending on the date the President
12 signs, allows to become law without his signature, or
13 vetoes and returns the joint resolution (but exclud-
14 ing days when either House is not in session) shall
15 be disregarded in computing the appropriate cal-
16 endar day period described in subsection (b)(1).

17 “(B) Debate on a veto message in the Senate
18 under this section shall be 1 hour equally divided be-
19 tween the majority and minority leaders or their des-
20 ignees.

21 “(5) VETO OVERRIDE.—If within the appro-
22 priate calendar day period described in subsection
23 (b)(1), Congress overrides a veto of the joint resolu-
24 tion with respect to authority exercised pursuant to
25 paragraph (1) or (2) of subsection (a), the limit on

1 debt provided in section 3101(b) shall not be raised,
2 except for the \$400,000,000,000 increase in the
3 limit provided by subsection (a)(1)(A).

4 “(6) SEQUESTRATION.—(A) If within the 50-
5 calendar day period described in subsection (b)(1),
6 the President signs the joint resolution, the Presi-
7 dent allows the joint resolution to become law with-
8 out his signature, or Congress overrides a veto of the
9 joint resolution with respect to authority exercised
10 pursuant to paragraph (1) of subsection (a), there
11 shall be a sequestration to reduce spending by
12 \$400,000,000,000. OMB shall implement the se-
13 questration forthwith.

14 “(B) OMB shall implement each half of such
15 sequestration in accordance with section 255, section
16 256, and subsections (c), (d), (e), and (f) of section
17 253 of the Balanced Budget and Emergency Deficit
18 Control Act of 1985, and for the purpose of such
19 implementation the term ‘excess deficit’ means the
20 amount specified in subparagraph (A).

21 “(g) RULES OF HOUSE OF REPRESENTATIVES AND
22 SENATE.—This subsection and subsections (b), (c), (d),
23 (e), and (f) (other than paragraph (6)) are enacted by
24 Congress—

1 “(1) as an exercise of the rulemaking power of
2 the Senate and House of Representatives, respec-
3 tively, and as such it is deemed a part of the rules
4 of each House, respectively, but applicable only with
5 respect to the procedure to be followed in that
6 House in the case of a joint resolution, and it super-
7 sedes other rules only to the extent that it is incon-
8 sistent with such rules; and

9 “(2) with full recognition of the constitutional
10 right of either House to change the rules (so far as
11 relating to the procedure of that House) at any time,
12 in the same manner, and to the same extent as in
13 the case of any other rule of that House.”.

14 (b) CONFORMING AMENDMENT.—The table of sec-
15 tions for chapter 31 of title 31, United States Code, is
16 amended by inserting after the item relating to section
17 3101 the following new item:

“3101A. Presidential modification of the debt ceiling.”.

18 **SEC. 302. ENFORCEMENT OF BUDGET GOAL.**

19 (a) IN GENERAL.—The Balanced Budget and Emer-
20 gency Deficit Control Act of 1985 is amended by inserting
21 after section 251 the following new section:

22 **“SEC. 251A. ENFORCEMENT OF BUDGET GOAL.**

23 “Unless a joint committee bill achieving an amount
24 greater than \$1,200,000,000,000 in deficit reduction as
25 provided in section 401(b)(3)(B)(i)(II) of the Budget Con-

1 trol Act of 2011 is enacted by January 15, 2012, the dis-
2 cretionary spending limits listed in section 251(c) shall be
3 revised, and discretionary appropriations and direct
4 spending shall be reduced, as follows:

5 “(1) REVISED SECURITY CATEGORY; REVISED
6 NONSECURITY CATEGORY.— (A) The term ‘revised
7 security category’ means discretionary appropria-
8 tions in budget function 050.

9 “(B) The term ‘revised nonsecurity category’
10 means discretionary appropriations other than in
11 budget function 050.

12 “(2) REVISED DISCRETIONARY SPENDING LIM-
13 ITS.—The discretionary spending limits for fiscal
14 years 2013 through 2021 under section 251(c) shall
15 be replaced with the following:

16 “(A) For fiscal year 2013—

17 “(i) for the security category,
18 \$546,000,000,000 in budget authority; and

19 “(ii) for the nonsecurity category,
20 \$501,000,000,000 in budget authority.

21 “(B) For fiscal year 2014—

22 “(i) for the security category,
23 \$556,000,000,000 in budget authority; and

24 “(ii) for the nonsecurity category,
25 \$510,000,000,000 in budget authority.

1 “(C) For fiscal year 2015—

2 “(i) for the security category,
3 \$566,000,000,000 in budget authority; and

4 “(ii) for the nonsecurity category,
5 \$520,000,000,000 in budget authority.

6 “(D) For fiscal year 2016—

7 “(i) for the security category,
8 \$577,000,000,000 in budget authority; and

9 “(ii) for the nonsecurity category,
10 \$530,000,000,000 in budget authority.

11 “(E) For fiscal year 2017—

12 “(i) for the security category,
13 \$590,000,000,000 in budget authority; and

14 “(ii) for the nonsecurity category,
15 \$541,000,000,000 in budget authority.

16 “(F) For fiscal year 2018—

17 “(i) for the security category,
18 \$603,000,000,000 in budget authority; and

19 “(ii) for the nonsecurity category,
20 \$553,000,000,000 in budget authority.

21 “(G) For fiscal year 2019—

22 “(i) for the security category,
23 \$616,000,000,000 in budget authority; and

24 “(ii) for the nonsecurity category,
25 \$566,000,000,000 in budget authority.

1 “(H) For fiscal year 2020—

2 “(i) for the security category,
3 \$630,000,000,000 in budget authority; and

4 “(ii) for the nonsecurity category,
5 \$578,000,000,000 in budget authority.

6 “(I) For fiscal year 2021—

7 “(i) for the security category,
8 \$644,000,000,000 in budget authority; and

9 “(ii) for the nonsecurity category,
10 \$590,000,000,000 in budget authority.

11 “(3) CALCULATION OF TOTAL DEFICIT REDUC-
12 TION.—OMB shall calculate the amount of the def-
13 icit reduction required by this section for each of fis-
14 cal years 2013 through 2021 by—

15 “(A) starting with \$1,200,000,000,000;

16 “(B) subtracting the amount of deficit re-
17 duction achieved by the enactment of a joint
18 committee bill, as provided in section
19 401(b)(3)(B)(i)(II) of the Budget Control Act
20 of 2011;

21 “(C) reducing the difference by 18 percent
22 to account for debt service; and

23 “(D) dividing the result by 9.

24 “(4) ALLOCATION TO FUNCTIONS.—On Janu-
25 ary 2, 2013, for fiscal year 2013, and in its seques-

1 tration preview report for fiscal years 2014 through
2 2021 pursuant to section 254(c), OMB shall allocate
3 half of the total reduction calculated pursuant to
4 paragraph (3) for that year to discretionary appro-
5 priations and direct spending accounts within func-
6 tion 050 (defense function) and half to accounts in
7 all other functions (nondefense functions).

8 “(5) DEFENSE FUNCTION REDUCTION.—OMB
9 shall calculate the reductions to discretionary appro-
10 priations and direct spending for each of fiscal years
11 2013 through 2021 for defense function spending as
12 follows:

13 “(A) DISCRETIONARY.—OMB shall cal-
14 culate the reduction to discretionary appropria-
15 tions by—

16 “(i) taking the total reduction for the
17 defense function allocated for that year
18 under paragraph (4);

19 “(ii) multiplying by the discretionary
20 spending limit for the revised security cat-
21 egory for that year; and

22 “(iii) dividing by the sum of the dis-
23 cretionary spending limit for the security
24 category and OMB’s baseline estimate of
25 nonexempt outlays for direct spending pro-

1 grams within the defense function for that
2 year.

3 “(B) DIRECT SPENDING.—OMB shall cal-
4 culate the reduction to direct spending by tak-
5 ing the total reduction for the defense function
6 required for that year under paragraph (4) and
7 subtracting the discretionary reduction cal-
8 culated pursuant to subparagraph (A).

9 “(6) NONDEFENSE FUNCTION REDUCTION.—
10 OMB shall calculate the reduction to discretionary
11 appropriations and to direct spending for each of fis-
12 cal years 2013 through 2021 for programs in non-
13 defense functions as follows:

14 “(A) DISCRETIONARY.—OMB shall cal-
15 culate the reduction to discretionary appropria-
16 tions by—

17 “(i) taking the total reduction for
18 nondefense functions allocated for that
19 year under paragraph (4);

20 “(ii) multiplying by the discretionary
21 spending limit for the revised nonsecurity
22 category for that year; and

23 “(iii) dividing by the sum of the dis-
24 cretionary spending limit for the revised
25 nonsecurity category and OMB’s baseline

1 estimate of nonexempt outlays for direct
2 spending programs in nondefense functions
3 for that year.

4 “(B) DIRECT SPENDING.—OMB shall cal-
5 culate the reduction to direct spending pro-
6 grams by taking the total reduction for non-
7 defense functions required for that year under
8 paragraph (4) and subtracting the discretionary
9 reduction calculated pursuant to subparagraph
10 (A).

11 “(7) IMPLEMENTING DISCRETIONARY REDUC-
12 TIONS.—

13 “(A) FISCAL YEAR 2013.—On January 2,
14 2013, for fiscal year 2013, OMB shall calculate
15 and the President shall order a sequestration,
16 effective upon issuance and under the proce-
17 dures set forth in section 253(f), to reduce each
18 account within the security category or non-
19 security category by a dollar amount calculated
20 by multiplying the baseline level of budgetary
21 resources in that account at that time by a uni-
22 form percentage necessary to achieve—

23 “(i) for the revised security category,
24 an amount equal to the defense function

1 discretionary reduction calculated pursuant
2 to paragraph (5); and

3 “(ii) for the revised nonsecurity cat-
4 egory, an amount equal to the nondefense
5 function discretionary reduction calculated
6 pursuant to paragraph (6).

7 “(B) FISCAL YEARS 2014-2021.—On the
8 date of the submission of its sequestration pre-
9 view report for fiscal years 2014 through 2021
10 pursuant to section 254(c) for each of fiscal
11 years 2014 through 2021, OMB shall reduce
12 the discretionary spending limit—

13 “(i) for the revised security category
14 by the amount of the defense function dis-
15 cretionary reduction calculated pursuant to
16 paragraph (5); and

17 “(ii) for the revised nonsecurity cat-
18 egory by the amount of the nondefense
19 function discretionary reduction calculated
20 pursuant to paragraph (6).

21 “(8) IMPLEMENTING DIRECT SPENDING REDUC-
22 TIONS.—On the date specified in paragraph (4) dur-
23 ing each applicable year, OMB shall prepare and the
24 President shall order a sequestration, effective upon
25 issuance, of nonexempt direct spending to achieve

1 the direct spending reduction calculated pursuant to
2 paragraphs (5) and (6). When implementing the se-
3 questration of direct spending pursuant to this para-
4 graph, OMB shall follow the procedures specified in
5 section 6 of the Statutory Pay-As-You-Go Act of
6 2010, the exemptions specified in section 255, and
7 the special rules specified in section 256, except that
8 the percentage reduction for the Medicare programs
9 specified in section 256(d) shall not be more than 2
10 percent for a fiscal year.

11 “(9) ADJUSTMENT FOR MEDICARE.—If the per-
12 centage reduction for the Medicare programs would
13 exceed 2 percent for a fiscal year in the absence of
14 paragraph (8), OMB shall increase the reduction for
15 all other discretionary appropriations and direct
16 spending under paragraph (6) by a uniform percent-
17 age to a level sufficient to achieve the reduction re-
18 quired by paragraph (6) in the non-defense function.

19 “(10) IMPLEMENTATION OF REDUCTIONS.—
20 Any reductions imposed under this section shall be
21 implemented in accordance with section 256(k).

22 “(11) REPORT.—On the dates specified in
23 paragraph (4), OMB shall submit a report to Con-
24 gress containing information about the calculations
25 required under this section, the adjusted discre-

1 tionary spending limits, a listing of the reductions
2 required for each nonexempt direct spending ac-
3 count, and any other data and explanations that en-
4 hance public understanding of this title and actions
5 taken under it.”.

6 (b) CONFORMING AMENDMENT.—The table of con-
7 tents set forth in section 250(a) of the Balanced Budget
8 and Emergency Deficit Control Act of 1985 is amended
9 by inserting after the item relating to section 251 the fol-
10 lowing:

“Sec. 251A. Enforcement of budget goal.”.

11 **TITLE IV—JOINT SELECT COM-**
12 **MITTEE ON DEFICIT REDUC-**
13 **TION**

14 **SEC. 401. ESTABLISHMENT OF JOINT SELECT COMMITTEE.**

15 (a) DEFINITIONS.—In this title:

16 (1) JOINT COMMITTEE.—The term “joint com-
17 mittee” means the Joint Select Committee on Def-
18 icit Reduction established under subsection (b)(1),

19 (2) JOINT COMMITTEE BILL.—The term “joint
20 committee bill” means a bill consisting of the pro-
21 posed legislative language of the joint committee rec-
22 ommended under subsection (b)(3)(B) and intro-
23 duced under section 402(a).

24 (b) ESTABLISHMENT OF JOINT SELECT COM-
25 MITTEE.—

1 (1) ESTABLISHMENT.—There is established a
2 joint select committee of Congress to be known as
3 the “Joint Select Committee on Deficit Reduction”.

4 (2) GOAL.—The goal of the joint committee
5 shall be to reduce the deficit by at least
6 \$1,500,000,000,000 over the period of fiscal years
7 2012 to 2021.

8 (3) DUTIES.—

9 (A) IN GENERAL.—

10 (i) IMPROVING THE SHORT-TERM AND
11 LONG-TERM FISCAL IMBALANCE.—The
12 joint committee shall provide recommenda-
13 tions and legislative language that will sig-
14 nificantly improve the short-term and long-
15 term fiscal imbalance of the Federal Gov-
16 ernment.

17 (ii) RECOMMENDATIONS OF COMMIT-
18 TEES.—Not later than October 14, 2011,
19 each committee of the House of Represent-
20 atives and the Senate may transmit to the
21 joint committee its recommendations for
22 changes in law to reduce the deficit con-
23 sistent with the goal described in para-
24 graph (2) for the joint committee’s consid-
25 eration.

1 (B) REPORT, RECOMMENDATIONS, AND
2 LEGISLATIVE LANGUAGE.—

3 (i) IN GENERAL.—Not later than No-
4 vember 23, 2011, the joint committee shall
5 vote on—

6 (I) a report that contains a de-
7 tailed statement of the findings, con-
8 clusions, and recommendations of the
9 joint committee and the estimate of
10 the Congressional Budget Office re-
11 quired by paragraph (5)(D)(ii); and

12 (II) proposed legislative language
13 to carry out such recommendations as
14 described in subclause (I), which shall
15 include a statement of the deficit re-
16 duction achieved by the legislation
17 over the period of fiscal years 2012 to
18 2021.

19 Any change to the Rules of the House of
20 Representatives or the Standing Rules of
21 the Senate included in the report or legis-
22 lative language shall be considered to be
23 merely advisory.

24 (ii) APPROVAL OF REPORT AND LEG-
25 ISLATIVE LANGUAGE.—The report of the

1 joint committee and the proposed legisla-
2 tive language described in clause (i) shall
3 require the approval of a majority of the
4 members of the joint committee.

5 (iii) ADDITIONAL VIEWS.—A member
6 of the joint committee who gives notice of
7 an intention to file supplemental, minority,
8 or additional views at the time of final
9 joint committee vote on the approval of the
10 report and legislative language under
11 clause (ii) shall be entitled to 3 calendar
12 days in which to file such views in writing
13 with the staff director of the joint com-
14 mittee. Such views shall then be included
15 in the joint committee report and printed
16 in the same volume, or part thereof, and
17 their inclusion shall be noted on the cover
18 of the report. In the absence of timely no-
19 tice, the joint committee report may be
20 printed and transmitted immediately with-
21 out such views.

22 (iv) TRANSMISSION OF REPORT AND
23 LEGISLATIVE LANGUAGE.—If the report
24 and legislative language are approved by
25 the joint committee pursuant to clause (ii),

1 then not later than December 2, 2011, the
2 joint committee shall submit the joint com-
3 mittee report and legislative language de-
4 scribed in clause (i) to the President, the
5 Vice President, the Speaker of the House
6 of Representatives, and the majority and
7 minority Leaders of each House of Con-
8 gress.

9 (v) REPORT AND LEGISLATIVE LAN-
10 GUAGE TO BE MADE PUBLIC.—Upon the
11 approval or disapproval of the joint com-
12 mittee report and legislative language pur-
13 suant to clause (ii), the joint committee
14 shall promptly make the full report and
15 legislative language, and a record of the
16 vote, available to the public.

17 (4) MEMBERSHIP.—

18 (A) IN GENERAL.—The joint committee
19 shall be composed of 12 members appointed
20 pursuant to subparagraph (B).

21 (B) APPOINTMENT.—Members of the joint
22 committee shall be appointed as follows:

23 (i) The majority leader of the Senate
24 shall appoint 3 members from among
25 Members of the Senate.

1 (ii) The minority leader of the Senate
2 shall appoint 3 members from among
3 Members of the Senate.

4 (iii) The Speaker of the House of
5 Representatives shall appoint 3 members
6 from among Members of the House of
7 Representatives.

8 (iv) The minority leader of the House
9 of Representatives shall appoint 3 mem-
10 bers from among Members of the House of
11 Representatives.

12 (C) CO-CHAIRS.—

13 (i) IN GENERAL.—There shall be 2
14 Co-Chairs of the joint committee. The ma-
15 jority leader of the Senate shall appoint
16 one Co-Chair from among the members of
17 the joint committee. The Speaker of the
18 House of Representatives shall appoint the
19 second Co-Chair from among the members
20 of the joint committee. The Co-Chairs shall
21 be appointed not later than 14 calendar
22 days after the date of enactment of this
23 Act.

1 (ii) STAFF DIRECTOR.—The Co-
2 Chairs, acting jointly, shall hire the staff
3 director of the joint committee.

4 (D) DATE.—Members of the joint com-
5 mittee shall be appointed not later than 14 cal-
6 endar days after the date of enactment of this
7 Act.

8 (E) PERIOD OF APPOINTMENT.—Members
9 shall be appointed for the life of the joint com-
10 mittee. Any vacancy in the joint committee
11 shall not affect its powers, but shall be filled
12 not later than 14 calendar days after the date
13 on which the vacancy occurs, in the same man-
14 ner as the original designation was made. If a
15 member of the joint committee ceases to be a
16 Member of the House of Representatives or the
17 Senate, as the case may be, the member is no
18 longer a member of the joint committee and a
19 vacancy shall exist.

20 (5) ADMINISTRATION.—

21 (A) IN GENERAL.—To enable the joint
22 committee to exercise its powers, functions, and
23 duties, there are authorized to be disbursed by
24 the Senate the actual and necessary expenses of
25 the joint committee approved by the co-chairs,

1 subject to the rules and regulations of the Sen-
2 ate.

3 (B) EXPENSES.—In carrying out its func-
4 tions, the joint committee is authorized to incur
5 expenses in the same manner and under the
6 same conditions as the Joint Economic Com-
7 mittee is authorized by section 11 of Public
8 Law 79–304 (15 U.S.C. 1024 (d)).

9 (C) QUORUM.—Seven members of the joint
10 committee shall constitute a quorum for pur-
11 poses of voting, meeting, and holding hearings.

12 (D) VOTING.—

13 (i) PROXY VOTING.—No proxy voting
14 shall be allowed on behalf of the members
15 of the joint committee.

16 (ii) CONGRESSIONAL BUDGET OFFICE
17 ESTIMATES.—The Congressional Budget
18 Office shall provide estimates of the legis-
19 lation (as described in paragraph (3)(B))
20 in accordance with sections 308(a) and
21 201(f) of the Congressional Budget Act of
22 1974 (2 U.S.C. 639(a) and
23 601(f))(including estimates of the effect of
24 interest payment on the debt). In addition,
25 the Congressional Budget Office shall pro-

1 vide information on the budgetary effect of
2 the legislation beyond the year 2021. The
3 joint committee may not vote on any
4 version of the report, recommendations, or
5 legislative language unless such estimates
6 are available for consideration by all mem-
7 bers of the joint committee at least 48
8 hours prior to the vote as certified by the
9 Co-Chairs.

10 (E) MEETINGS.—

11 (i) INITIAL MEETING.—Not later than
12 45 calendar days after the date of enact-
13 ment of this Act, the joint committee shall
14 hold its first meeting.

15 (ii) AGENDA.—The Co-Chairs of the
16 joint committee shall provide an agenda to
17 the joint committee members not less than
18 48 hours in advance of any meeting.

19 (F) HEARINGS.—

20 (i) IN GENERAL.—The joint com-
21 mittee may, for the purpose of carrying
22 out this section, hold such hearings, sit
23 and act at such times and places, require
24 attendance of witnesses and production of
25 books, papers, and documents, take such

1 testimony, receive such evidence, and ad-
2 minister such oaths as the joint committee
3 considers advisable.

4 (ii) HEARING PROCEDURES AND RE-
5 SPONSIBILITIES OF CO-CHAIRS.—

6 (I) ANNOUNCEMENT.—The Co-
7 Chairs of the joint committee shall
8 make a public announcement of the
9 date, place, time, and subject matter
10 of any hearing to be conducted, not
11 less than 7 days in advance of such
12 hearing, unless the Co-Chairs deter-
13 mine that there is good cause to begin
14 such hearing at an earlier date.

15 (II) WRITTEN STATEMENT.—A
16 witness appearing before the joint
17 committee shall file a written state-
18 ment of proposed testimony at least 2
19 calendar days before the appearance
20 of the witness, unless the requirement
21 is waived by the Co-Chairs, following
22 their determination that there is good
23 cause for failure to comply with such
24 requirement.

1 (G) TECHNICAL ASSISTANCE.—Upon writ-
2 ten request of the Co-Chairs, a Federal agency
3 shall provide technical assistance to the joint
4 committee in order for the joint committee to
5 carry out its duties.

6 (c) STAFF OF JOINT COMMITTEE.—

7 (1) IN GENERAL.—The Co-Chairs of the joint
8 committee may jointly appoint and fix the compensa-
9 tion of staff as they deem necessary, within the
10 guidelines for employees of the Senate and following
11 all applicable rules and employment requirements of
12 the Senate.

13 (2) ETHICAL STANDARDS.—Members on the
14 joint committee who serve in the House of Rep-
15 resentatives shall be governed by the ethics rules and
16 requirements of the House. Members of the Senate
17 who serve on the joint committee and staff of the
18 joint committee shall comply with the ethics rules of
19 the Senate.

20 (d) TERMINATION.—The joint committee shall termi-
21 nate on January 31, 2012.

22 **SEC. 402. EXPEDITED CONSIDERATION OF JOINT COM-**
23 **MITTEE RECOMMENDATIONS.**

24 (a) INTRODUCTION.—If approved by the majority re-
25 quired by section 401(b)(3)(B)(ii), the proposed legislative

1 language submitted pursuant to section 401(b)(3)(B)(iv)
2 shall be introduced in the Senate (by request) on the next
3 day on which the Senate is in session by the majority lead-
4 er of the Senate or by a Member of the Senate designated
5 by the majority leader of the Senate and shall be intro-
6 duced in the House of Representatives (by request) on the
7 next legislative day by the majority leader of the House
8 or by a Member of the House designated by the majority
9 leader of the House.

10 (b) CONSIDERATION IN THE HOUSE OF REPRESENT-
11 ATIVES.—

12 (1) REFERRAL AND REPORTING.—Any com-
13 mittee of the House of Representatives to which the
14 joint committee bill is referred shall report it to the
15 House without amendment not later than December
16 9, 2011. If a committee fails to report the joint com-
17 mittee bill within that period, it shall be in order to
18 move that the House discharge the committee from
19 further consideration of the bill. Such a motion shall
20 not be in order after the last committee authorized
21 to consider the bill reports it to the House or after
22 the House has disposed of a motion to discharge the
23 bill. The previous question shall be considered as or-
24 dered on the motion to its adoption without inter-
25 vening motion except 20 minutes of debate equally

1 divided and controlled by the proponent and an op-
2 ponent. If such a motion is adopted, the House shall
3 proceed immediately to consider the joint committee
4 bill in accordance with paragraphs (2) and (3). A
5 motion to reconsider the vote by which the motion
6 is disposed of shall not be in order.

7 (2) PROCEEDING TO CONSIDERATION.—After
8 the last committee authorized to consider a joint
9 committee bill reports it to the House or has been
10 discharged (other than by motion) from its consider-
11 ation, it shall be in order to move to proceed to con-
12 sider the joint committee bill in the House. Such a
13 motion shall not be in order after the House has dis-
14 posed of a motion to proceed with respect to the
15 joint committee bill. The previous question shall be
16 considered as ordered on the motion to its adoption
17 without intervening motion. A motion to reconsider
18 the vote by which the motion is disposed of shall not
19 be in order.

20 (3) CONSIDERATION.—The joint committee bill
21 shall be considered as read. All points of order
22 against the joint committee bill and against its con-
23 sideration are waived. The previous question shall be
24 considered as ordered on the joint committee bill to
25 its passage without intervening motion except 2

1 hours of debate equally divided and controlled by the
2 proponent and an opponent and one motion to limit
3 debate on the joint committee bill. A motion to re-
4 consider the vote on passage of the joint committee
5 bill shall not be in order.

6 (4) VOTE ON PASSAGE.—The vote on passage
7 of the joint committee bill shall occur not later than
8 December 23, 2011.

9 (c) EXPEDITED PROCEDURE IN THE SENATE.—

10 (1) COMMITTEE CONSIDERATION.—A joint com-
11 mittee bill introduced in the Senate under subsection
12 (a) shall be jointly referred to the committee or com-
13 mittees of jurisdiction, which committees shall report
14 the bill without any revision and with a favorable
15 recommendation, an unfavorable recommendation, or
16 without recommendation, not later than December 9,
17 2011. If any committee fails to report the bill within
18 that period, that committee shall be automatically
19 discharged from consideration of the bill, and the
20 bill shall be placed on the appropriate calendar.

21 (2) MOTION TO PROCEED.—Notwithstanding
22 Rule XXII of the Standing Rules of the Senate, it
23 is in order, not later than 2 days of session after the
24 date on which a joint committee bill is reported or
25 discharged from all committees to which it was re-

1 ferred, for the majority leader of the Senate or the
2 majority leader's designee to move to proceed to the
3 consideration of the joint committee bill. It shall also
4 be in order for any Member of the Senate to move
5 to proceed to the consideration of the joint com-
6 mittee bill at any time after the conclusion of such
7 2-day period. A motion to proceed is in order even
8 though a previous motion to the same effect has
9 been disagreed to. All points of order against the
10 motion to proceed to the joint committee bill are
11 waived. The motion to proceed is not debatable. The
12 motion is not subject to a motion to postpone. A mo-
13 tion to reconsider the vote by which the motion is
14 agreed to or disagreed to shall not be in order. If
15 a motion to proceed to the consideration of the joint
16 committee bill is agreed to, the joint committee bill
17 shall remain the unfinished business until disposed
18 of.

19 (3) CONSIDERATION.—All points of order
20 against the joint committee bill and against consid-
21 eration of the joint committee bill are waived. Con-
22 sideration of the joint committee bill and of all de-
23 batable motions and appeals in connection therewith
24 shall not exceed a total of 30 hours which shall be
25 divided equally between the Majority and Minority

1 Leaders or their designees. A motion further to limit
2 debate on the joint committee bill is in order, shall
3 require an affirmative vote of three-fifths of the
4 Members duly chosen and sworn, and is not debat-
5 able. Any debatable motion or appeal is debatable
6 for not to exceed 1 hour, to be divided equally be-
7 tween those favoring and those opposing the motion
8 or appeal. All time used for consideration of the
9 joint committee bill, including time used for quorum
10 calls and voting, shall be counted against the total
11 30 hours of consideration.

12 (4) NO AMENDMENTS.—An amendment to the
13 joint committee bill, or a motion to postpone, or a
14 motion to proceed to the consideration of other busi-
15 ness, or a motion to recommit the joint committee
16 bill, is not in order.

17 (5) VOTE ON PASSAGE.—If the Senate has
18 voted to proceed to the joint committee bill, the vote
19 on passage of the joint committee bill shall occur im-
20 mediately following the conclusion of the debate on
21 a joint committee bill, and a single quorum call at
22 the conclusion of the debate if requested. The vote
23 on passage of the joint committee bill shall occur not
24 later than December 23, 2011.

1 (6) RULINGS OF THE CHAIR ON PROCEDURE.—

2 Appeals from the decisions of the Chair relating to
3 the application of the rules of the Senate, as the
4 case may be, to the procedure relating to a joint
5 committee bill shall be decided without debate.

6 (d) AMENDMENT.—The joint committee bill shall not
7 be subject to amendment in either the House of Rep-
8 resentatives or the Senate.

9 (e) CONSIDERATION BY THE OTHER HOUSE.—

10 (1) IN GENERAL.—If, before passing the joint
11 committee bill, one House receives from the other a
12 joint committee bill—

13 (A) the joint committee bill of the other
14 House shall not be referred to a committee; and

15 (B) the procedure in the receiving House
16 shall be the same as if no joint committee bill
17 had been received from the other House until
18 the vote on passage, when the joint committee
19 bill received from the other House shall sup-
20 plant the joint committee bill of the receiving
21 House.

22 (2) REVENUE MEASURE.—This subsection shall
23 not apply to the House of Representatives if the
24 joint committee bill received from the Senate is a
25 revenue measure.

1 (f) RULES TO COORDINATE ACTION WITH OTHER
2 HOUSE.—

3 (1) TREATMENT OF JOINT COMMITTEE BILL OF
4 OTHER HOUSE.—If the Senate fails to introduce or
5 consider a joint committee bill under this section,
6 the joint committee bill of the House shall be enti-
7 tled to expedited floor procedures under this section.

8 (2) TREATMENT OF COMPANION MEASURES IN
9 THE SENATE.—If following passage of the joint com-
10 mittee bill in the Senate, the Senate then receives
11 the joint committee bill from the House of Rep-
12 resentatives, the House-passed joint committee bill
13 shall not be debatable. The vote on passage of the
14 joint committee bill in the Senate shall be considered
15 to be the vote on passage of the joint committee bill
16 received from the House of Representatives.

17 (3) VETOES.—If the President vetoes the joint
18 committee bill, debate on a veto message in the Sen-
19 ate under this section shall be 1 hour equally divided
20 between the majority and minority leaders or their
21 designees.

22 (g) LOSS OF PRIVILEGE.—The provisions of this sec-
23 tion shall cease to apply to the joint committee bill if—

24 (1) the joint committee fails to vote on the re-
25 port or proposed legislative language required under

1 section 401(b)(3)(B)(i) not later than November 23,
2 2011; or

3 (2) the joint committee bill does not pass both
4 Houses not later than December 23, 2011.

5 **SEC. 403. FUNDING.**

6 Funding for the joint committee shall be derived in
7 equal portions from—

8 (1) the applicable accounts of the House of
9 Representatives; and

10 (2) the contingent fund of the Senate from the
11 appropriations account “Miscellaneous Items”, sub-
12 ject to the rules and regulations of the Senate.

13 **SEC. 404. RULEMAKING.**

14 The provisions of this title are enacted by Congress—

15 (1) as an exercise of the rulemaking power of
16 the House of Representatives and the Senate, re-
17 spectively, and as such they shall be considered as
18 part of the rules of each House, respectively, or of
19 that House to which they specifically apply, and
20 such rules shall supersede other rules only to the ex-
21 tent that they are inconsistent therewith; and

22 (2) with full recognition of the constitutional
23 right of either House to change such rules (so far
24 as relating to such House) at any time, in the same

1 manner, and to the same extent as in the case of
2 any other rule of such House.

3 **TITLE V—PELL GRANT AND STU-**
4 **DENT LOAN PROGRAM**
5 **CHANGES**

6 **SEC. 501. FEDERAL PELL GRANTS.**

7 Section 401(b)(7)(A)(iv) of the Higher Education Act
8 of 1965 (20 U.S.C. 1070a(b)(7)(A)(iv)) is amended—

9 (1) in subclause (II), by striking
10 “\$3,183,000,000” and inserting “\$13,183,000,000”;
11 and

12 (2) in subclause (III), by striking “\$0” and in-
13 serting “\$7,000,000,000”.

14 **SEC. 502. TERMINATION OF AUTHORITY TO MAKE INTER-**
15 **EST SUBSIDIZED LOANS TO GRADUATE AND**
16 **PROFESSIONAL STUDENTS.**

17 Section 455(a) of the Higher Education Act of 1965
18 (20 U.S.C. 1087e(a)) is amended by adding at the end
19 the following new paragraph:

20 “(3) TERMINATION OF AUTHORITY TO MAKE
21 INTEREST SUBSIDIZED LOANS TO GRADUATE AND
22 PROFESSIONAL STUDENTS.—

23 “(A) IN GENERAL.—Subject to subpara-
24 graph (B) and notwithstanding any provision of

1 this part or part B, for any period of instruc-
2 tion beginning on or after July 1, 2012—

3 “(i) a graduate or professional stu-
4 dent shall not be eligible to receive a Fed-
5 eral Direct Stafford loan under this part;
6 and

7 “(ii) the maximum annual amount of
8 Federal Direct Unsubsidized Stafford
9 loans such a student may borrow in any
10 academic year (as defined in section
11 481(a)(2)) or its equivalent shall be the
12 maximum annual amount for such student
13 determined under section 428H, plus an
14 amount equal to the amount of Federal
15 Direct Stafford loans the student would
16 have received in the absence of this sub-
17 paragraph.

18 “(B) EXCEPTION.—Subparagraph (A)
19 shall not apply to an individual enrolled in
20 course work specified in paragraph (3)(B) or
21 (4)(B) of section 484(b).”.

22 **SEC. 503. TERMINATION OF DIRECT LOAN REPAYMENT IN-**
23 **CENTIVES.**

24 Section 455(b)(8) of the Higher Education Act of
25 1965 (20 U.S.C. 1087e(b)(8)) is amended—

1 (1) in subparagraph (A)—

2 (A) by amending the header to read as fol-
3 lows: “(A) INCENTIVES FOR LOANS DISBURSED
4 BEFORE JULY 1, 2012.—”; and

5 (B) by inserting “with respect to loans for
6 which the first disbursement of principal is
7 made before July 1, 2012,” after “of this
8 part”;

9 (2) in subparagraph (B), by inserting “with re-
10 spect to loans for which the first disbursement of
11 principal is made before July 1, 2012” after “repay-
12 ment incentives”; and

13 (3) by adding at the end the following new sub-
14 paragraph:

15 “(C) NO REPAYMENT INCENTIVES FOR
16 NEW LOANS DISBURSED ON OR AFTER JULY 1,
17 2012.—Notwithstanding any other provision of
18 this part, the Secretary is prohibited from au-
19 thorizing or providing any repayment incentive
20 not otherwise authorized under this part to en-
21 courage on-time repayment of a loan under this
22 part for which the first disbursement of prin-
23 cipal is made on or after July 1, 2012, includ-
24 ing any reduction in the interest or origination
25 fee rate paid by a borrower of such a loan, ex-

1 cept that the Secretary may provide for an in-
2 terest rate reduction for a borrower who agrees
3 to have payments on such a loan automatically
4 electronically debited from a bank account.”.

5 **SEC. 504. INAPPLICABILITY OF TITLE IV NEGOTIATED**
6 **RULEMAKING AND MASTER CALENDAR EX-**
7 **CEPTION.**

8 Sections 482(c) and 492 of the Higher Education Act
9 of 1965 (20 U.S.C. 1089(c), 1098a) shall not apply to
10 the amendments made by this title, or to any regulations
11 promulgated under those amendments.



House Calendar No.

112th CONGRESS
1st Session

H. RES. _

[Report No. 112—]

Providing for consideration of the bill (S. 365) to make a technical amendment to the Education Sciences Reform Act of 2002.

IN THE HOUSE OF REPRESENTATIVES

August 1, 2011

Mr. DREIER, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed.

RESOLUTION

Providing for consideration of the bill (S. 365) to make a technical amendment to the Education Sciences Reform Act of 2002.

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (S. 365) to make a technical amendment to the Education Sciences Reform Act of 2002. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate, with 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Rules, 15 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means, and 15 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Budget; and (2) one motion to recommit with or without instructions.